

CLINTON GORE '96

December 17, 1996

Lawrence M. Noble, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, NW
6th Floor
Washington, DC 20463

DEC 17 4 23 PM '96

Re: MUR 4558. Clinton/Gore '96 Primary Committee, Inc.
Joan Pollitt, Treasurer

Dear Mr. Noble:

We are counsel to the Clinton/Gore '96 Primary Committee, Inc. (the "Committee") and Joan Pollitt, as treasurer, and hereby submit this response to the complaint filed in the above-captioned matter. As more fully demonstrated below, there is no merit to the erroneous allegation contained in this complaint, and the Commission should find no reason to believe that there has been any violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431 et seq. (the "Act") or the Commission's regulations and close the file in this matter as it pertains to the Committee.

Statement of the Case

The complaint's sole allegation with respect to the Committee is that "[t]he Clinton reports fails [sic] to disclose any payments to the Federal Government, as best as can be determined, for the use of Air Force One for political purposes." In fact, as can be readily determined from the Committee's reports of receipts and disbursements -- as well as the reports of the Clinton/Gore '96 General Committee and the Democratic National Committee (the "DNC") -- there are multiple payments to White House Airlift Operations totaling \$1,101,718.38, which represent payments for the costs of campaign use of Air Force One.¹

¹While the complainant appears to name the Clinton/Gore '96 General Committee, the Commission notified the Clinton/Gore '96 Primary Committee. This response is on behalf of both committees.



Legal Analysis

Over \$1 million has been paid and reported for the campaign use of Air Force One and Two, and therefore this complaint has absolutely no merit to its allegations.

White House Airlift Operations is the organizational and administrative entity of the White House which prepares the invoices for campaign use of government conveyances by the President. The Committees have received invoice from White House Airlift Operations for the use of Air Force One and Two. Upon receipt of an invoice, the Committees promptly process and pay it. Payments are sent to the White House Airlift Operations office and reported as expenditures on Schedule B, Line 23 of the appropriate Committee report.

A total of \$728,245.66 in payments made to White House Airlift Operations for the use of both Air Force One and Two are disclosed on the reports of the Primary and General Committees. A spreadsheet is attached to this response detailing all of the aforesaid payments by specific report.

In addition, \$373,472.72 in payments to White House Airlift Operations for the use of Air Force One and Two were made by the DNC in November 1996, pursuant to their authority under 2 U.S.C. §441a(d).² These payments were duly disclosed by the DNC, and a copy of the page of their report is also attached hereto.

Accordingly, a total of \$1,101,718.38 has been paid and reported as expenditures to White House Airlift Operations for the use of Air Force One and Two. Complainant's allegation that nothing has been reported is simply wrong. In addition, it should be noted that the complaint in this matter was filed at the Office of General Counsel on October 31, 1996, even before Election Day. Obviously, White House Airlift Operations is continuing to process invoices for the highly compressed general election period and submitted them to the Committees for payment. It is expected that additional amounts will appear on the next reports of receipts and disbursements to be filed at the Commission.

Accordingly, for complainant to suggest that the Committees have not paid or disclosed amounts for the campaign use of Air Force One is completely meritless on its face and belied by the obvious entries on the reports of the Committee, going back to the very first report filed. The amount of payments disclosed has been significant and will continue as additional bills are received and processed. All payments will be duly disclosed pursuant to the requirements of the Act. Accordingly, contrary to complainant's allegations, no reporting violation has occurred, and, for that reason, the Commission should find no reason to believe that any violation of the Act has been committed by the Committees.

²These sums were for general election travel only.

Conclusion

As fully set forth above, the Clinton/Gore '96 Primary and General Committees have fully disclosed substantial payments for the campaign-related use of Air Force One and Two, as disbursements to White House Airlift Operations, proving complainant's allegations to be erroneous. The Commission should find no reason to believe that the Committees have violated the Act and close this matter as it pertains to them.

Respectfully submitted,


Lyn Utrecht
General Counsel


Eric Kleinfeld
Chief Counsel

Attachment

Report	Date	Amount	Report Total
2Q95P	06/30/95	\$2,595.10	
			\$2,595.10

3Q95P	07/27/95	\$18.19	
	08/22/95	\$11.12	
	08/30/95	\$5.18	
	09/29/95	\$14.28	
	09/30/95	\$43,977.00	
			\$44,025.77

YREND95P	10/16/95	\$19.13	
	11/08/95	\$2,098.00	
	11/08/95	\$615.00	
	12/11/95	\$25.58	
	12/11/95	\$0.75	
	12/29/95	\$64.45	
	12/31/95	\$9.78	
	12/31/95	\$6.90	
	12/31/95	(\$9.78)	
	12/31/95	(\$6.90)	
			\$2,822.91

Report	Date	Amount	Report Total
JAN96P	01/25/96	\$2.43	
	01/31/96	\$76.20	
	01/31/96	\$5.75	
	01/31/96	\$12.52	
	01/31/96	\$3.16	
			\$100.06

FEB96P	02/29/96	\$6,885.00	
	02/27/96	\$1,930.00	
	02/28/96	\$1,220.00	
	02/28/96	\$69.26	
	02/28/96	\$9.40	
	02/28/96	\$2.16	
	02/28/96	\$23.17	
	02/29/96	\$4.71	
			\$10,143.70

MAR96P	12/31/95	(\$9.78)	
	12/31/95	(\$6.90)	
	03/18/96	\$9.78	
	03/18/96	\$6.90	
	03/27/96	\$36.80	
	03/30/96	\$1,220.00	
	03/30/96	\$1,930.00	
	03/30/96	\$1,220.00	
	03/30/96	\$6,248.95	
	03/30/96	\$1,300.00	
	03/30/96	\$3,640.00	
	03/30/96	\$5,509.30	
	03/30/96	\$1,110.00	
	03/30/96	\$2,871.00	
	03/30/96	\$19,071.00	
	03/30/96	\$4,385.00	
	03/30/96	\$560.00	
	03/30/96	\$5,893.00	
	03/30/96	\$3,039.05	
	03/31/96	\$3,772.00	
	03/31/96	\$45.21	
	03/31/96	\$29,372.00	
			\$91,223.31

Report	Date	Amount	Report Total
APR96P	04/16/96	\$6,096.00	
	04/16/96	\$6,078.00	
	04/16/96	\$5,457.00	
	04/16/96	\$3,338.00	
	04/16/96	\$14,477.00	
	04/18/96	\$8,650.00	
	04/30/96	\$2,562.00	
	04/30/96	\$1,110.00	
	04/30/96	\$1,110.00	
	04/30/96	\$1,220.00	
	04/30/96	\$560.00	
	04/30/96	\$560.00	
	04/30/96	\$560.00	
	04/30/96	\$1,825.00	
	04/30/96	\$560.00	
	04/30/96	\$6,485.00	
	04/30/96	\$1,110.00	
	04/30/96	\$2,722.00	
	04/30/96	\$1,110.00	
	04/30/96	\$1.86	
	04/30/96	\$3.62	
	04/30/96	\$27.16	
	04/30/96	\$16.36	
	04/30/96	\$44.31	
	04/30/96	\$55.95	
	04/30/96	\$10.66	
	04/30/96	\$69.55	
	04/30/96	\$100.96	
	04/30/96	\$23.99	
	04/30/96	\$6.19	
	04/30/96	\$13.12	
	04/30/96	\$7.99	
	04/30/96	\$1,220.00	
	04/30/96	\$4,918.00	
	04/30/96	\$3,150.00	
			\$75,259.72

Report	Date	Amount	Report Total
MAY96P	05/20/96	\$1,110.00	
	05/20/96	\$560.00	
	05/20/96	\$1,110.00	
	05/20/96	\$5,750.00	
	05/22/96	\$64.45	
	05/31/96	\$1,570.00	
	05/31/96	\$3,618.00	
	05/31/96	\$20.68	
	05/31/96	\$9,174.00	
	05/31/96	\$613.00	
	05/31/96	\$7,876.00	
	05/31/96	\$4,960.00	
	05/31/96	\$2,760.00	
	05/31/96	\$6,666.00	
	05/31/96	\$560.00	
	05/31/96	\$3,061.00	
	05/31/96	\$2,210.00	
	05/31/96	\$1,110.00	
	05/31/96	\$1,895.00	
	05/31/96	\$11,195.00	
	05/31/96	\$11,062.00	
	05/31/96	\$1,110.00	
	05/31/96	\$2,091.00	
	05/31/96	\$8.61	
	12/29/95	(\$64.45)	
	02/27/96	(\$1,930.00)	
	02/28/96	(\$1,220.00)	
			\$76,940.29

Report	Date	Amount	Report Total
JUN96P	06/26/96	\$2.88	
	06/26/96	\$7.49	
	06/26/96	\$10.07	
	06/26/96	\$26.45	
	06/26/96	\$6,338.00	
	06/26/96	\$1,110.00	
	06/26/96	\$1,570.00	
	06/26/96	\$560.00	
	06/26/96	\$2,362.00	
	06/26/96	\$1,110.00	
	06/26/96	\$560.00	
	06/26/96	\$4,202.00	
	06/26/96	\$1,110.00	
	06/26/96	\$2,842.00	
	06/26/96	\$6,618.00	
	06/26/96	\$560.00	
	06/26/96	\$560.00	
	06/26/96	\$1,110.00	
	06/26/96	\$1,594.00	
	06/26/96	\$560.00	
	06/26/96	\$5,122.00	
	06/26/96	\$1,110.00	
	06/26/96	\$2,922.00	
	06/26/96	\$1,110.00	
	06/26/96	\$2.97	
	06/26/96	\$2.30	
	06/26/96	\$1,110.00	
	06/26/96	\$6.90	
	06/26/96	\$16.97	
	06/26/96	\$1,110.00	
	06/26/96	\$1,110.00	
	06/26/96	\$560.00	
	06/29/96	\$4.71	
	06/29/96	\$2.83	
	06/29/96	\$560.00	
	06/29/96	\$7,438.00	
	06/29/96	\$1,110.00	
	06/29/96	\$1,110.00	
	06/29/96	\$1,962.00	
	06/29/96	\$560.00	
	06/29/96	\$2,042.00	
	06/29/96	\$1,110.00	
	06/29/96	\$3,871.00	
	06/29/96	\$560.00	
	06/29/96	\$1,110.00	
	06/29/96	\$1,110.00	
	06/29/96	\$1,180.00	
	06/29/96	\$2,210.00	
	06/29/96	\$2,802.00	
	06/29/96	\$4,658.00	
	06/29/96	\$1,666.00	
	06/29/96	\$7,652.00	
	06/29/96	\$4,250.00	
	06/29/96	\$560.00	
	06/29/96	\$9.43	

White House Helicopter Airlift Operation Payments from Line 23 of Schedule B

	06/29/96	\$2.52	
	06/29/96	\$15.83	
	06/29/96	\$2,250.00	
	06/29/96	\$560.00	
	06/29/96	\$3.27	
	06/29/96	\$9.06	
	06/29/96	\$11.52	
	06/29/96	\$560.00	
	06/29/96	\$5,722.00	
			\$103,668.20

Report	Date	Amount	Report Total
JUL96P	07/15/96	\$5,342.00	
	07/31/96	\$5,019.00	
	07/31/96	\$2,322.00	
	07/31/96	\$2,104.00	
	07/31/96	\$27.30	
	07/31/96	\$2,104.00	
	07/31/96	\$4,532.00	
	07/31/96	\$81.56	
	07/31/96	\$43.96	
	07/31/96	\$4,966.00	
	07/31/96	\$3,722.50	
	07/31/96	\$18,144.00	
	07/31/96	\$2,760.00	
	07/31/96	\$2,562.00	
	07/31/96	\$6,178.00	
	06/29/96	(\$5,722.00)	
			\$54,186.32

AUG96P	08/16/96	\$6,399.00	
	08/16/96	\$1,110.00	
	08/23/96	\$13,597.00	
	08/23/96	\$2,072.50	
	08/31/96	\$2,210.00	
	08/31/96	\$5,643.00	
	08/31/96	\$8,074.00	
	08/31/96	\$8,986.00	
	08/31/96	\$4,960.00	
	08/31/96	\$2,350.00	
	08/31/96	\$3,310.00	
	08/31/96	\$2,370.00	
	08/31/96	\$560.00	
	08/31/96	\$560.00	
	08/31/96	\$1,570.00	
	08/31/96	\$560.00	
	08/31/96	\$2,802.00	
	08/31/96	\$560.00	
	08/31/96	\$49.00	
	08/31/96	\$1,110.00	
			\$68,852.50

Report	Date	Amount	Report Total
SEP96P	09/17/96	\$40.26	
	09/17/96	\$13.26	
	09/17/96	\$10.65	
	09/26/96	\$0.63	
	09/26/96	\$1.45	
	09/26/96	\$13.71	
	09/27/96	\$5,114.00	
	09/27/96	\$3,792.00	
	09/27/96	\$1,110.00	
	09/27/96	\$12,514.00	
	09/27/96	\$2,210.00	
	09/28/96	\$7,316.00	
	09/30/96	\$11,708.30	
	09/30/96	\$4,960.00	
	09/30/96	\$27,400.00	
	09/30/96	\$7,211.00	
	09/30/96	\$1,110.00	
	09/30/96	\$1,924.00	
	09/30/96	\$3.68	
	09/30/96	\$36.59	
	09/30/96	\$3.45	
	09/30/96	\$11.07	
	09/30/96	\$49.00	
	09/30/96	\$4.46	
	09/30/96	\$18.20	
	09/30/96	\$22.31	
	09/30/96	\$26.62	
	09/30/96	\$12.24	
	09/30/96	\$12.78	
	09/30/96	\$4.03	
	09/30/96	\$6.90	
	09/30/96	\$2.88	
	09/30/96	\$3.45	
	09/30/96	\$11.50	
	09/30/96	\$8.91	
	09/30/96	\$4.60	
	09/30/96	\$28.75	
	09/30/96	\$9.20	
	09/30/96	\$25.32	
	09/30/96	\$3.45	
	09/30/96	\$27.61	
	09/30/96	\$615.00	
	09/30/96	\$5,837.00	
			\$93,238.26

SEP96GE	09/30/96	\$615.00	
	09/30/96	\$1,220.00	
	09/30/96	\$5,882.00	
	09/30/96	\$10,396.00	
	09/30/96	\$1,220.00	
	09/30/96	\$11,367.00	
			\$30,700.00

Report	Date	Amount	Report Total
PREGENGE	10/09/96	\$21.03	
	10/09/96	\$14.37	
	10/09/96	\$36.18	
	10/09/96	\$7.74	
	10/11/96	\$12,677.00	
	10/11/96	\$19,729.00	
	10/11/96	\$29.72	
	10/11/96	\$1,825.00	
	10/11/96	\$1,220.00	
	10/11/96	\$10,026.00	
	10/11/96	\$24.32	
			\$45,610.36

OCT96P	10/13/96	\$421.68	
	10/13/96	\$3,410.00	
	10/24/96	\$7,983.00	
	10/31/96	\$1,660.00	
	10/31/96	\$3,050.00	
	10/31/96	\$1,110.00	
	10/31/96	\$10,981.48	
	10/31/96	\$263.00	
			\$28,879.16

		Primary Total	\$651,935.30
		General Total	\$76,310.36
		GELAC Total	\$0.00
		Grand Total	\$728,245.66

SCHEDULE F

**ITEMIZED COORDINATED EXPENDITURES MADE BY
POLITICAL PARTY COMMITTEES OR DESIGNATED AGENTS(S)
ON BEHALF OF CANDIDATES FOR FEDERAL OFFICE
(2 U.S.C. §441a(d))**

Page 1 of 4 for
LINE NUMBER 25

(To be used only by Political Committees in the General Election)

Name of Political Committee (in Full)				
DNC Services Corp. / Democratic National Committee				
Has your Committee been designated to make coordinated expenditures by a political party committee? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
If YES, name the designating committee:				
Full Name, Mailing Address and ZIP Code of Subordinate Committee				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
November 5 Group 511 2nd Street, N.E. Washington, D.C. 20002	Clinton/Gore '96 U.S. President	Media	10/25/96	2,700,000.00
Aggregate General Election Expenditure for this Candidate—\$5,867,975.67				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Taughanock Aviation Corp. Tompkins County Airport Ithaca, NY 14850	Clinton/Gore '96 U.S. President	Travel	11/25/96	57,296.53
Aggregate General Election Expenditure for this Candidate—\$5,867,975.67				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
White House Airlift Ops. Washington, D.C. 20500	Clinton/Gore '96 U.S. President	Travel	11/25/96	373,472.72
Aggregate General Election Expenditure for this Candidate—\$5,867,975.67				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
White House Travel Office OEOB Room 87 Washington, DC 20503	Clinton/Gore '96 U.S. President	Travel	11/25/96	20,695.13
Aggregate General Election Expenditure for this Candidate—\$5,867,975.67				
SUBTOTAL of Expenditures This Page (optional)				3,151,464.78
TOTAL This Period (last page this line number only)				